



# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

**FILED**

June 20, 2007

JUN 26 2007

Joyce Stoltz  
1515 Gannett  
Riverton, WY 82501

Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: 2M Construction Proposed Small Mine, TFN 4 6/333**

Dear Ms. Stoltz:

You have been identified by the Environmental Quality Council as a "party" to the objection to the above small mine application. To be considered a "party" in the case you must have submitted a timely objection and participated in the pre-hearing conference conducted May 14<sup>th</sup>.

On June 18<sup>th</sup>, Dave Finley, Air Quality Division (AQD) Administrator, and I met with 2M Construction and members of the public to discuss the pending Land Quality Division (LQD) Small Mining permit and the pending Air Quality Division permit. This meeting was a continuation of the AQD meeting held Tuesday June 12<sup>th</sup>. In response to the public concerns discussed on the 12<sup>th</sup>, the operator has proposed a 450 foot buffer zone along the northern boundary of the proposed permit area. This area is shown on the attached map and no mining would occur in this area. This is in addition to the 300 foot buffer along the east permit boundary. Many of the other issues raised in the objections to the LQD mining permit relate to air quality concerns rather than to land quality. These are really tied to the AQD permitting process rather than the LQD permitting process.

In an effort to settle the LQD issues with out a formal hearing before the Wyoming Environmental Quality Council, the LQD is proposing placing a condition to the approval of the LQD mining permit that reads:

The operator may not conduct mining operations within the 450 foot buffer shown on the attached map (Map No. 2). Within 30 days approval of this permit, the operator shall submit the attached map to replace the existing Map No. 2 currently contained in the permit.

If the above permit condition, satisfies your concerns regarding the LQD mining permit and you do not desire a hearing before the Wyoming Environmental Council (EQC), you must contact the EQC in writing withdrawing you objection. Please do so by June 29, 2007. If you desire a hearing, there is nothing you need to do. The EQC's address is:

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002 • <http://deg.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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RE: 2M Construction Proposed Small Mine, TFN 4 6/333  
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Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Cheyenne, Wyoming 82002  
Email: jgirar@state.wy.us  
Fax no. 307-777-6134

You should note that if you elect to withdraw your objection to the LQD mining permit, you retain your full rights to review or appeal any final air quality permit which may ultimately be issued by the AQD for this mine. The AQD expects to finish its review of public comments received and to reach a permitting decision shortly after June 26, 2007, which is the close of the public comment period for the air quality permit. If you attended one of the air quality meetings held June 12 or June 18, or if you submitted a written comment on the air quality permit, you will receive notice of the AQD permit decision.

If you have any questions, please contact me.

Sincerely,

  
Richard A. Chancellor  
Administrator  
Land Quality Division

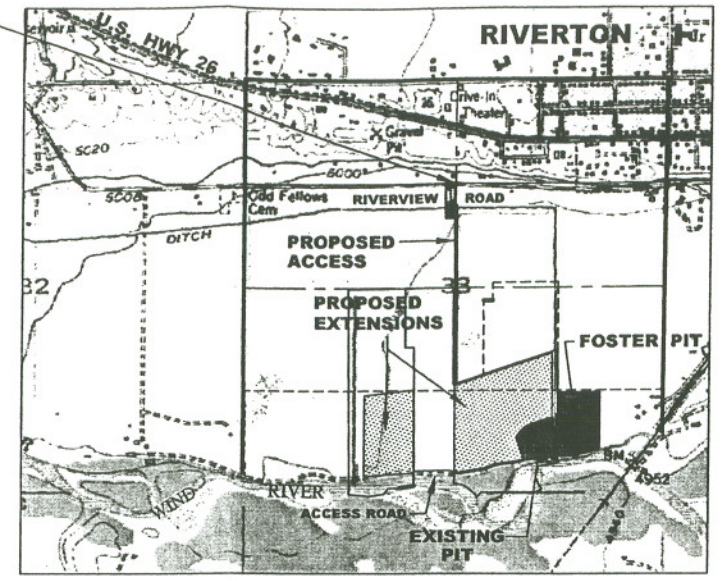
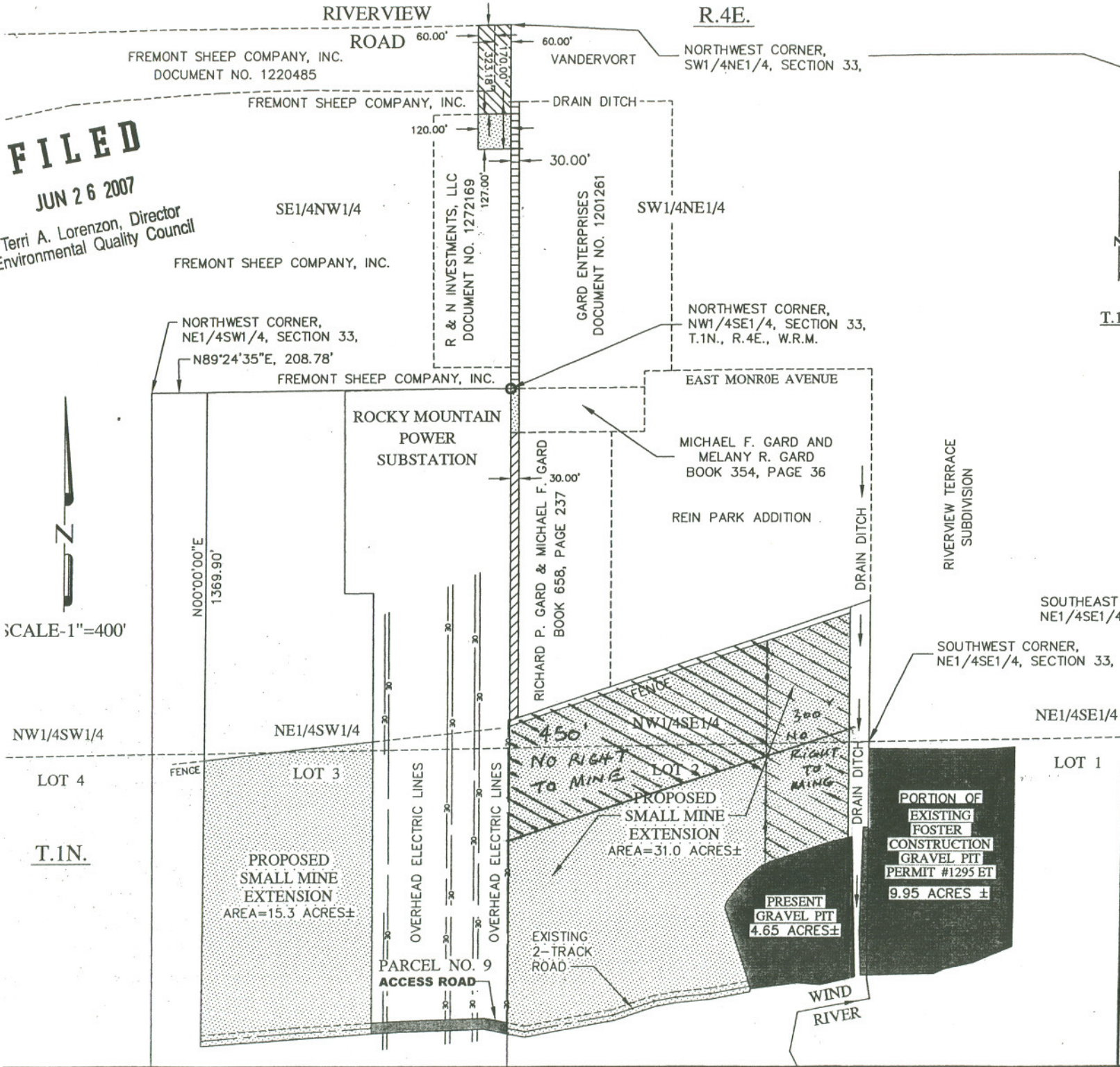
RAC/bb

Encl.

xc: 2M Construction w/encl  
EQC w/encl  
LQD District II w/encl  
AQD

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**JUN 26 2007**

Terri A. Lorenzon, Director  
 Environmental Quality Council



(RIVERTON WEST QUADRANGLE)  
**VICINITY MAP**  
 SCALE-1"=2000'



SCALE-1"=400'

NW1/4SW1/4

LOT 4

T.1N.

SOUTHEAST CORNER,  
 NE1/4SE1/4, SECTION 33,

SOUTHWEST CORNER,  
 NE1/4SE1/4, SECTION 33,

NE1/4SE1/4

LOT 1

<b>2M CONSTRUCTION, INC.</b>	
<b>PROPOSED PERMIT BOUNDARY AND ACCESS ROAD</b>	
LOCATED WITHIN THE SE1/4NW1/4, SW1/4NE1/4, NW1/4SE1/4, NE1/4SW1/4, AND LOTS 1, 2 AND 3, SECTION 33, T.1N. R.4E. W.R.M. FREMONT COUNTY, WYOMING	
<b>REV. NO. 2</b>	<b>MAP No. 2</b>
<b>APEX SURVEYING, INC.</b> ENGINEERING AND LAND SURVEYING 407 West Adams Avenue, Box 1751 Riverton, Wyoming 82501 (307)856-1647	
Job: 05489 Bk: 196&GPS Pg: 26 Drawn By: GLH	

PORTION OF  
 EXISTING  
 FOSTER  
 CONSTRUCTION  
 GRAVEL PIT  
 PERMIT #1295 ET  
 9.95 ACRES ±

PRESENT  
 GRAVEL PIT  
 4.65 ACRES ±

PROPOSED  
 SMALL MINE  
 EXTENSION  
 AREA=31.0 ACRES±

PROPOSED  
 SMALL MINE  
 EXTENSION  
 AREA=15.3 ACRES±

PARCEL NO. 9  
 ACCESS ROAD

RICHARD P. GARD & MICHAEL F. GARD  
 BOOK 658, PAGE 237

MICHAEL F. GARD AND  
 MELANY R. GARD  
 BOOK 354, PAGE 36

NORTHWEST CORNER,  
 NW1/4SE1/4, SECTION 33,  
 T.1N., R.4E., W.R.M.

NORTHWEST CORNER,  
 SW1/4NE1/4, SECTION 33,  
 R.4E.

FREMONT SHEEP COMPANY, INC.  
 DOCUMENT NO. 1220485

FREMONT SHEEP COMPANY, INC.

SE1/4NW1/4

FREMONT SHEEP COMPANY, INC.

NORTHWEST CORNER,  
 NE1/4SW1/4, SECTION 33,  
 N89°24'35"E, 208.78'

FREMONT SHEEP COMPANY, INC.

ROCKY MOUNTAIN  
 POWER  
 SUBSTATION

EAST MONROE AVENUE

REIN PARK ADDITION

RIVERVIEW TERRACE  
 SUBDIVISION

DRAIN DITCH

DRAIN DITCH

WIND  
 RIVER

OVERHEAD ELECTRIC LINES

OVERHEAD ELECTRIC LINES

FENCE

LOT 3

NE1/4SW1/4

NW1/4SE1/4

450'

300'

NO RIGHT  
 TO MINE

RIGHT  
 TO MINE

FENCE

LOT 2

EXISTING  
 2-TRACK  
 ROAD

